

Responses to questions from a recent town hall:

Do you have a summary of the recent U.S. Supreme Court decision granting corporations and unions the same status as individuals when it comes to campaign contributions?

On January 21, 2010, the Supreme Court issued a 5-4 decision in *Citizens United v. Federal Election Commission*.

The ruling invalidated aspects of previous laws which had prohibited corporations and unions from using their funds to air broadcast ads referring to clearly identified federal candidates within 60 days of a general election, or 30 days of a primary election or caucus. The decision also overturned the Supreme Court's 1990 ruling which had upheld restrictions on corporate-funded independent expenditures.

Under the *ruling*, direct corporate or union *contributions* to political candidates are still banned. Corporations and unions are now able to use their funds to run advertisements directly advocating for or against the election of candidates. Previously, such advertising would generally have had to be paid for by Political Action Committees (PACs) funded by donations from associated individuals.

Can the \$75 million cap on damages be lifted from BP in the case of the Gulf of Mexico oil spill?

Although there is a \$75 million liability cap for oil spill damages, this is **only for damages** and only

in absence of any criminal negligence

. BP will be paying significantly more than \$75 million.

1) Regardless of the cap, under the Oil Pollution Act of 1990 BP is liable for the full cost of cleanup, with no cap on costs.

2) If the spill was found to be a result of gross negligence, willful misconduct, or violation of federal safety, construction, or operating regulations by a responsible party, the cap is moot and they are fully liable for all damages.

After the clean up and damages payments, BP will also face criminal and civil penalties, to be imposed by the courts.

Congressman Coffman has cosponsored [HR 1587](#) , a bill that will amend the Consumer Product Safety Improvement Act of 2008 to provide an exemption for certain off-highway vehicles, and for other purposes.□ This legislation was introduced by Rep. Denny Rehberg of Montana on March 18, 2009.